

## **Time to Make Sound Transit Officials Accountable through a Directly Elected Board of Directors**

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Do you know who runs Sound Transit?

Sound Transit officials spend about \$1 million per day in public money, yet their leadership is not accountable to the public because they are not directly elected to their positions. They are appointed.

Sound Transit is led by an 18-member board of directors. They include local and state officials and, with the exception of the Washington State Department of Transportation Secretary, they are all elected to offices from other local governments like cities and counties.

State law dictates how Sound Transit's positions are filled. According to Sound Transit, "The Board includes three members from Snohomish County, 10 from King County, four from Pierce County and the State Transportation Department secretary."

Just like any other legislative body, the Sound Transit board meets regularly, they are subject to transparency and open meeting laws, they have tax authority and they make policy and budget decisions for the agency.

While residents living in the Sound Transit district are taxed, as voters they cannot collectively choose who serves on the Sound Transit board, nor can the public hold anyone at Sound Transit accountable when bad decisions are made.

Washington Policy Center recently asked the State Auditor's Office (SAO) to investigate Sound Transit officials because of Sound Transit's failure to deliver on the promises made to voters in the last election. For example, two years ago, Sound Transit asked voters to expand its regional public transportation system (ST2). During the election, Sound Transit officials told voters the expanded rail portion (137 miles of light rail and commuter rail) would carry 310,000 passenger trips per day by 2030.<sup>1</sup>

Voters agreed and raised sales taxes within the Sound Transit district.

Then the Puget Sound Regional Council (PSRC) estimated just two years later that passenger rail would only carry about 164,000 trips per day, half of what Sound Transit officials told voters.<sup>2</sup>

<sup>1</sup> "Mass Transit Guide, The Sound Transit 2 Plan," Sound Transit, 2008, p. 5, at [www.washingtonpolicy.org/sites/default/files/STInfoMailer10-08.pdf](http://www.washingtonpolicy.org/sites/default/files/STInfoMailer10-08.pdf).

<sup>2</sup> "Transportation 2040, Chapter 4, Transportation," Puget Sound Regional Council, March 2010, p. 71, at <http://psrc.org/assets/3677/04-Transportation.pdf>.

Yet Sound Transit officials keep their higher tax authority and voters are effectively disenfranchised under the current system because they cannot hold anyone accountable by voting them out of office.

There is probably no better example of how Sound Transit's governance deprives voters of representation than with what is happening in Federal Way.

Sound Transit officials promised voters in the 2008 ballot measure that light rail would expand from the airport to Federal Way. Earlier this year however, the Sound Transit board decided on its own to scrap the Federal Way extension. Sound Transit notified city officials that light rail would only reach Federal Way if voters approved a third phase and another tax increase. Federal Way Mayor Skip Priest estimates his citizens already pay about \$13.5 million per year in Sound Transit taxes but they are not receiving what they were promised.<sup>3</sup>

While the SAO audit can shine much-needed light on how officials at Sound Transit continue to overpromise the benefits of their system, there is nothing anyone can do about it.

Currently, no one from Federal Way serves on the Sound Transit board, and the only board members who presumably represent their interests are King County Executive Dow Constantine and Councilmember Pete von Reichbauer. While they face voters every four years in their respective King County races, their decisions on outside boards and commissions are generally insulated from scrutiny in isolated, local elections.

Sound Transit officials claim they are held accountable through an "independent" and "external" Citizen's Oversight Panel, but with a process befitting Sound Transit's long history of indifference toward true responsibility, panel members are selected by Sound Transit's own board of directors.

The public essentially has no oversight and this insulation effectively shifts the power from voters to Sound Transit's central administrative staff, who have an unequivocal incentive to grow the agency, brush off public criticisms and ignore outside, independent recommendations such as those made by the State Auditor.

Another problem with Sound Transit's current governance is that it creates conflicts of interest among the agency's board members.

The King County Executive oversees the largest transit agency in the state, King County Metro. But with a position on the Sound Transit board, the Executive also represents Sound Transit's light rail agenda. This presents a conflict of interest because the current light rail alignment has taken over many of Metro's most productive and efficient bus routes. In fact, officials estimate that two-thirds of the ridership on light rail is siphoned away from the existing bus system.

Integrating light rail among current transit systems is important but the idea that an agency has to give up its best performing routes to do it should be rejected.

Furthermore, the Executive is on both sides of the table when negotiating the contracts that govern how Metro operates Sound Transit's light rail system. It is impossible for the Executive to objectively represent the interests of both agencies without compromising one over the other.

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<sup>3</sup> "Sound Transit audit should examine inequity and transparency problems," Press Release, City of Federal Way, January 2012, at [www.cityoffederalway.com/archives/39/Sound%20Transit%20audit%20should%20examine%20inequity%20and%20transparency%20problems.pdf](http://www.cityoffederalway.com/archives/39/Sound%20Transit%20audit%20should%20examine%20inequity%20and%20transparency%20problems.pdf).

Sound Transit officials spend billions of dollars in public taxes, continuously overpromise benefits and underestimate costs, unilaterally change the scope of their promises without a public vote, produce conflicts of interest among their unelected board of directors, and operate with no true oversight or public accountability.

There is a solution however.

State lawmakers could change the governance of Sound Transit from an appointed board to one that is directly elected.

Direct elections create accountability for Sound Transit officials by shifting the power back to citizens and taxpayers. Residents within the Sound Transit district would gain much-needed oversight of an agency that has shown a pattern of disrespect toward voters.

Voters would finally be able to reward good decisions, or punish those who make bad ones, through regular elections.

Direct elections also allow the public to serve on the Sound Transit board of directors. Under the current system, unless you are an elected official from one of a select list of preapproved local governments or the Secretary of the Washington State Department of Transportation, you cannot serve on the Sound Transit board.

Allowing citizens to run for positions on an open and directly elected Sound Transit board would ensure real oversight, provide accountability and create a more collaborative approach to future decisions.

*Michael Ennis is the transportation director at Washington Policy Center, a non-partisan independent policy research organization in Washington state. Nothing here should be construed as an attempt to aid or hinder the passage of any legislation before any legislative body. For more information, visit [washingtonpolicy.org](http://washingtonpolicy.org).*